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**\*E-FILED - 12/22/10\***

Attorneys for Defendant  
eAppraiseIT, LLC (named as First American eAppraiseIT)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

FELTON A. SPEARS, JR. and SIDNEY  
SCHOLL, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

FIRST AMERICAN EAPPRAISEIT (a/k/a  
eAppraiseIT, LLC),  
a Delaware limited liability company; and  
LENDER'S SERVICE, INC., a Delaware limited  
liability company,

Defendants.

Case No. 5-08-CV-00868 RMW

**CLASS ACTION**

**STIPULATION AND []  
ORDER CONTINUING BRIEFING  
SCHEDULE**

Courtroom: Courtroom 6, 4th Floor  
Judge: Hon. Ronald M. Whyte

Pursuant to Local Rules 6-1 and 6-2, it is hereby stipulated and agreed by Plaintiffs and defendant EAPPRAISEIT, LLC (named as FIRST AMERICAN EAPPRAISEIT), by and through their attorneys of record, as follows:

1. On November 19, 2010, Plaintiffs filed and served a Renewed Motion For Class Certification to address the issues raised in the Court's July 2, 2010 Order Denying Motion For Class Certification Without Prejudice (Docket #209), in addition to expert reports from three proposed expert witnesses. Shortly after, Plaintiffs produced documents related to these expert opinions.

2. To assist defendant EAPPRAISEIT, LLC ("EA") with obtaining discovery necessary to respond to the Renewed Motion For Class Certification, and to permit Plaintiffs to obtain discovery from any experts EA may rely upon in its opposition to that motion, the parties hereby stipulate to continue the current briefing schedule as follows:

<b>February 4, 2011</b>	Last day for EA to depose the expert witnesses Plaintiffs rely upon in their renewed motion for class certification
<b>March 18, 2011</b>	Last day for EA to file and serve its opposition to Plaintiffs' renewed motion for class certification
<b>March 28, 2011</b>	Last day for EA to produce documents regarding expert witnesses it relies upon in support of its opposition to Plaintiffs' renewed motion for class certification, pursuant to Fed. R. Civ. P. 26
<b>April 29, 2011</b>	Last day for Plaintiffs to depose expert witnesses relied upon by EA in support of its opposition to the renewed motion for class certification
<b>June 3, 2011</b>	Deadline for Plaintiffs to file and serve their reply brief in support of their renewed motion for class certification
<b>June 21, 2011, 9:00 A.M.</b>	Hearing regarding Plaintiffs' renewed motion for class certification

3. This is the first instance in which the parties have sought to continue these dates.

IT IS SO STIPULATED

Dated: December 21, 2010

STEMBER FEINSTEIN DOYLE PAYNE &  
CORDES LLC

BRAUN LAW GROUP

LAW OFFICE OF JANET LINDNER

SPIRO MOSS LLP

By /s/ Joseph N. Kravec, Jr.

JOSEPH N. KRAVEC, JR.

Attorneys for Plaintiffs

FELTON A. SPEARS, JR. and SIDNEY  
SCHOLL

Dated: December 21, 2010

DLA PIPER LLP (US)

By /s/ Carter Ott

CARTER W. OTT

Attorneys for Defendant

EAPPRAISEIT, LLC (named as FIRST  
AMERICAN EAPPRAISEIT)

I, Carter Ott, am the ECF user whose ID and password are being used to file this  
STIPULATION AND [PROPOSED] ORDER CONTINUING BRIEFING SCHEDULE. In  
compliance with General Order 45, X.B., I hereby attest that Joseph Kravec, Jr. has concurred in  
this filing.

### **ORDER**

IT IS HEREBY ORDERED as follows:

1. Defendant shall have until February 4, 2011 to depose the expert witnesses  
Plaintiffs rely upon in their renewed motion for class certification. Defendant's last day to file  
and serve its opposition to Plaintiffs' renewed motion for class certification is hereby continued  
from December 23, 2010 to March 18, 2011. Following the filing of that opposition, Defendants  
shall have until March 28, 2011 to produce documents, pursuant to Fed. R. Civ. P. 26, regarding  
the experts it may rely upon in its opposition to the renewed motion for class certification.

2. Plaintiffs shall have until April 29, 2011 to depose the expert witnesses Defendant  
relies upon in its opposition to Plaintiffs' renewed motion for class certification. Plaintiffs' last

1 day to file and serve their reply in support of their renewed motion for class certification is hereby  
2 continued from January 7, 2011 to June 3, 2011.

3 3. The hearing regarding Plaintiffs' renewed motion for class certification is hereby  
4 continued from January 21, 2011 to June 24, 2011, at 9:00 A.M.

5 PURSUANT TO STIPULATION, IT IS SO ORDERED.

6  
7 DATED: 12/22, 2010

8 By   
9 HONORABLE RONALD M. WHYTE  
United States District Judge